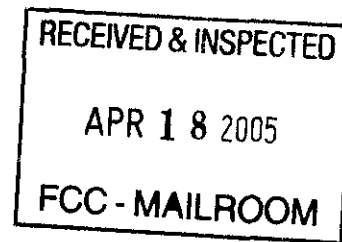


March 26, 2005

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04-435

Ms. Marlene H. Dortch
Federal Communications Commission
Office of the Secretary
445 12th Street, S.W.
Washington, D.C. 20554

RE: Proposed Rules Facilitating the Use of Cellular
Telephones and Other Wireless Devices Aboard
Airborne Aircraft

Dear Commissioners:

Thank you for the opportunity to provide comments on the Federal Communications Commission's (Commission) proposed rules for Facilitating the Use of Cellular Telephones and Other Wireless Devices Aboard Airborne Aircraft. I strongly object to the proposed rules and respectfully request that the Commission abandon the initiative to allow cellular telephone and other wireless device use on airborne aircraft. For the reasons noted below, I believe the Commission's proposal is misguided and will actually result in a loss of public safety, will negatively impact homeland security, and will pose health risks to passengers.

To allow use of cellular telephones and other wireless devices aboard airborne aircraft will negatively impact homeland security and will actually increase the likelihood that a terrorist could successfully commander an airborne aircraft. Allowing the use of cellular telephones will dramatically increase the amount of ongoing conversations and noise in an aircraft making it difficult or impossible for aircraft personnel and passengers to recognize and react to an attempt by terrorists to commander an airborne aircraft. The numerous conversations that will be taking place should the proposed rules be adopted also make it less likely that aircraft personnel and passengers will be able to act in a coordinated manner to thwart a terrorist operation. Not only will passengers have their attention placed elsewhere but instead of than responding in a physical manner to thwart the terrorist operation, individuals are likely to reach for their cellular telephones rather than respond.

Allowing use of cellular telephones and wireless devices will also make it more difficult for aircraft personnel to warn passengers of potential hazards as well as to effectively coordinate actions in response to emergency situations. Thus the Commission's proposed rule is counterproductive to the public's safety.

Moreover, the ability to communicate to other parties that an emergency situation is underway has very little impact on preventing or eliminating the event. Indeed, it is likely to redirect passenger responses from more successful actions to remedy the emergency situation. Lastly, in an emergency situation, anyone may use cellular telephones and other wireless devices to communicate and thus the Commission does not

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need to adopt a rule to allow such use, or if it did, the rule should be limited to emergency use only.

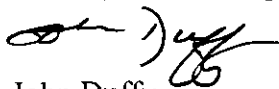
The Commission has not adequately addressed the negative effects of the proposed rule. Passengers on an airborne aircraft are within a confined setting. Due to the fact that human beings are unable to choose when to "stop hearing" but in fact listen and process all sounds, the amount of unwanted sound will dramatically increase the level of stress among passengers. It is well documented that increased stress has undesirable health impacts. The Commission's proposed rule has the unintended consequence of harming the public's health.

In addition, the increased level of sound and noise resulting from the Commission's proposed rule will reduce worker productivity. Many passengers routinely work during flights. The effect of the proposed rule, should it be adopted, is to reduce the ability of workers to concentrate on work and thereby reduce productivity.

The Commission's proposed rule does not adequately balance the use of cellular telephones and wireless devices with the public's right to peaceful enjoyment. Many members of the public wish to read, work, rest, or sleep during flights. The proposed rule does not consider these rights nor does it address how these rights will be mitigated. Merely stating that the Federal Aviation Administration and aircraft carriers may address such use does not adequately address the loss of the public's right to peaceful enjoyment. Actually, the Commission is creating a problem where one does not presently exist and then transferring the problem to others for an effective solution.

In conclusion, the proposed rule on the use of cellular telephones and wireless devices aboard airborne aircraft is misguided, detracts from homeland security, and reduces effective responses to emergency situations. The proposed rule also negatively affects public health, worker productivity, safety, and peaceful enjoyment. The Commission should abandon the proposed rule.

Thank you for the opportunity to comment.



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